

ORIGINAL

(Rev. 5-05)

FORM TO BE USED BY A PRISONER IN FILING A COMPLAINT  
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. §1983IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE(1) Daniel S. Green 320086  
(Name of Plaintiff) (Inmate Number)Dept. Correction center  
1181 Paddock Rd. Smyrna Del. 19977  
(Complete Address with zip code)(2) N/A  
(Name of Plaintiff) (Inmate Number)N/A  
(Complete Address with zip code)(Each named party must be listed, and all names  
must be printed or typed. Use additional sheets if needed)

vs.

1.2 (1) Rockliffe, Charles Bradford Ape  
3.4 (2) Lyle Bryant Horace Duggins  
5.6 (2) CPL. williams CPL. Danell  
(Names of Defendants)(Each named party must be listed, and all names  
must be printed or typed. Use additional sheets if needed)

## I. PREVIOUS LAWSUITS

A. If you have filed any other lawsuits in federal court while a prisoner, please list the caption and case number including year, as well as the name of the judicial officer to whom it was assigned:

Daniel S. Green v. First correctional medical  
LLC. 04-027-KAJ Jun 13, 2004  
Judge Kent A. Jordan

## CIVIL COMPLAINT

• • Jury Trial Requested



## II. EXHAUSTION OF ADMINISTRATIVE REMEDIES

In order to proceed in federal court, you must fully exhaust any available administrative remedies as to each ground on which you request action.

A. Is there a prisoner grievance procedure available at your present institution? •  Yes •  No

B. Have you fully exhausted your available administrative remedies regarding each of your present claims? •  Yes •  No

C. If your answer to "B" is Yes:

1. What steps did you take? \_\_\_\_\_

\_\_\_\_\_

2. What was the result? \_\_\_\_\_

\_\_\_\_\_

D. If your answer to "B" is No, explain why not: When I Plaintiff ask for a grievance (to said they don't have noun, when I Did set one they said it was passed the seven day limit

## III. DEFENDANTS (in order listed on the caption)

(1) Name of first defendant: Radcliffe Charles

Employed as Correction officer at Howard R. Young Institution

Mailing address with zip code: 1301 E. 12<sup>th</sup> St. Wilm. Del. 19809

\_\_\_\_\_

(2) Name of second defendant: Berndford ARe

Employed as Correction officer at Howard R. Young Institution

Mailing address with zip code: 1301 E. 12<sup>th</sup> St. Wilm. Del. 19809

\_\_\_\_\_

(3) Name of third defendant: Lyle Bryant

Employed as Correctional officer at Howard R. Young Institution

Mailing address with zip code: 1301 E. 12<sup>th</sup> St. Wilm. Del. 19809

\_\_\_\_\_

(List any additional defendants, their employment, and addresses with zip codes, on extra sheets if necessary)

4.) Name of fourth defendant: Horace Duggins

Employed as correction officer at Howard R. Young Institution  
mailing address with zipcode: 1301 E. 12<sup>th</sup> st. wilm. Del. 19809

5.) Name of fifth defendant: Cpl. Williams

Employed as correction officer at Howard R. Young Institution  
mailing address with zip code: 1301 E. 12<sup>th</sup> st. wilm. Del. 19809

6. Name of sixth defendant cpl. Danelli

Employed as correction officer at Howard R. Young Institution  
mailing address with zipcode: 1301 E. 12<sup>th</sup> st. wilm. Del. 19809

**IV. STATEMENT OF CLAIM**

(State as briefly as possible the facts of your case. Describe how each defendant is involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. Attach no more than three extra sheets of paper if necessary.)

1. On 8-23-04 I was handcuffed by C/o Belli the given over to QRT team Defendants, my hand was already injured from another time I told them this, I was then pick off the floor from a standing position by cuffs by defendants and was handled, defendants on way to medical and disciplinary area was hitting me in head with shield and forcing my arms to the point they would't go. from medical to disciplinary area were I was to be unhandcuffed I was told to put one hand on my head when one cuff was off I told the defendants I can't move my hand or arms because of the excessive use of force the used bring me down and do to first injury to hand, they then came to me one using extrem force on my hand and the other smashing my head into the desk the other punching me this should all be on video before door was shut and locked on 1-24-05 Cpl. Williams and Cpl. Denelli go to next page.
2. 3

**V. RELIEF**

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

1. I would like charges to be pressed against C/o's for there use of force that is and was unnecessary.

statement of claims

was called to a code, Cpl. Williams was there first, when ask  
clo what happen, he was told, I Plaintiff had my back to  
Cpl. Williams, he the grab me by my color out of the cell  
in ~~the~~ door way with my hands up in the air, Spins me  
around and Slams me on the table, I tell him I have  
a bad left hand, He cuffs me with extra force, now at  
this time clo now Cpl. Danelli comes and says "O this  
guy" he then pulls me from around the table Slams me  
on the floor were I am then kick punched then pick up by  
cuffs Slamed into wall by out cove, door opens pick up  
Slamed into floor in out cove were I Plaintiff have 5 clo's  
on me two on my legs tooo with there knees in my back  
and one standing watching, this was a done befor QRT  
team was in area with video, on way to medical I was  
then man handled, left medical, then was taken back to  
medical because of Injuries were I was submitted for three  
days were I lost feeling in left hand from little finger to  
ring finger and risk this is all on video and medical records  
which I will give later for both 8-23-04 and 1-24-05.

2. for both assaults I would like 1.5 million  
for what they did to my Injured left  
hand causing insult to Injury and more  
damage and for the pain and suffering  
And the mental state they Put me through.

2

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 15<sup>th</sup> day of July, 2005.

Daniel S. Gray  
(Signature of Plaintiff 1)

\_\_\_\_\_  
(Signature of Plaintiff 2)

\_\_\_\_\_  
(Signature of Plaintiff 3)



United States Court  
House Lock Box 18  
844 King Street  
Wilmington Delaware  
19801

IM Daniel S. Green  
SBI# 326056 UNIT 17  
DELAWARE CORRECTIONAL CENTER  
1181 PADDOCK ROAD  
SMYRNA, DELAWARE 19977